

# Quapaw Farmers Market Rules and Regulations 2022

## MARKET DETAILS

### 1. HOURS OF OPERATION

- a. **First** and **Third Fridays** of each month from June 3<sup>rd</sup> through October 21<sup>st</sup>
  - b. **Vendor Set-Up** 8:30am-9:45am
  - c. **Market Hours** 10:00am-2:00pm
2. **LOCATION** 326 Main St., Quapaw, OK 74363
3. **SET-UP** Indoor and climate-controlled market. Tables, chairs, reach-in coolers, reach-in freezers and booth displays will be available free of charge based on availability.

## LEGAL

### 1. LAWS

- a. The Oklahoma State Department of Health and Oklahoma Department of Agriculture, Food and Forestry (ODAFF) have jurisdiction over sales of manufactured food at all Oklahoma farmers markets.
  - b. The Oklahoma Farmers Market and Farmers Hub Act took effect 11/1/2020, changing the resell laws for farmers markets statewide. See Vendor/Market Space section for more details.
  - c. Vendors must comply with all applicable requirements to be eligible for participation at the Quapaw Farmers Market.
  - d. All vendors are responsible for abiding by all applicable city, county, state, and federal laws and regulations.
2. **SALES TAX PERMIT** All vendors who are required by the state to pay sales tax, must submit a copy of their sales tax permit with their application. Assessing, reporting, and remitting sales tax to the Oklahoma Tax Commission (OTC) is the sole responsibility of the vendor. Each vendor should call the OTC at 405-521-3279 or visit <http://oktax.state.ok.us> for clarification on requirements and to obtain an application for a sales tax identification number.
3. **LICENSE/CERTIFICATIONS** If you sell any of the following items, you must include a copy of the license/certification corresponding with the item, with the application as well as have available at the market.
- a. **Eggs-** Egg Packers License is required for all egg sales. Eggs must be raised on your farm, *must* be refrigerated to 45 F or below at all times, and cannot be sold if older than 45 days.
  - b. **Dairy-** All dairy products must be produced in an ODAFF licensed facility. Raw, unpasteurized dairy products are not allowed to be sold.
  - c. **Meat-** Meat/Mobile Unit License is required to sell meat at a farmers market.

- d. **Organic-** Organic Certification is required if you use the word “Organic” in your marketing. More details in Vendor/Market Space section below.
- e. **Pecans, Peanuts, Other Nuts, and Grains-** Whole grains may be customer ground and nuts may be customer cracked after sale. If cracked or ground prior to sale, this processing should take place in a licensed and/or inspected facility.
- f. **Honey-** Oklahoma beekeepers with annual production less than 500 gallons are not required additional licensing or inspection, as long as all honey is produced and sold by them or their family.
- g. **Baked Goods-** All baked goods must follow the Home Bakery Act of 2013.
- h. No temporary licenses will be issued at the Quapaw Farmers Market.

### **VENDOR/MARKET SPACE**

1. **RESELLING** Reselling is not permitted unless you are a representative/employee of the farm where the products are grown/made. If reselling is suspected, the Market Manager reserves the right to conduct a farm visit. Reselling is grounds for suspension or removal from the market. Non-compliance may result in loss of market membership without refund.
2. **PARKING** Produce may be unloaded outside the front doors, then vendor vehicles **must** be moved to the vendor parking lot located one block south. All vehicles must be moved and vendors back at their booth by market opening time.
3. **OPENING AND CLOSING** All vendors are expected to be at their booth and be set up by 9:45am. There will NOT be any sales made until the Market Manager designates opening time. Under no circumstance may any merchandise leave a vendor’s booth with a customer prior to opening. Vendor-to-vendor sales are permitted prior to the official market opening. Upon market closing time, vendors shall conclude any sales in process and then close their booths to any further sales.
4. **MARKET SPACE** Market spaces should be attended to at all times. The vendor assumes responsibility for any losses of product or money from the market site.
5. **CUT PRODUCE** All produce items must be sold whole and uncut—no halves or slices; however, growers may cut produce and wrap it with plastic food wrap for display only.
6. **VENDOR EMPLOYEES AND REPRESENTATIVES** It is the responsibility of the vendor to ensure all employees/representatives understand and abide by the Quapaw Farmers Market rules and regulations, including which forms of payment their business may accept.
7. **SELLING FOR OTHER VENDORS** Vendors are NOT permitted to sell products for other businesses (See Reselling section above).
8. **CONDUCT** Vendors are expected to conduct themselves in a professional manner and in accordance with the rules and regulations of the market. All vendors are expected to treat the market staff, other vendors, and customers with respect and without discrimination.

Verbal outbursts at market are grounds for suspension or removal from the market. Non-compliance may result in loss of market membership without refund.

- 9. INSPECTIONS** Products must be protected from contamination from outside sources such as pests, stagnant water, mishandling, etc. Products shall not be stored in contact with the floor or in dirty/contaminated containers. Spoiled or decomposing produce is not permitted at the market. If there is an item in question as to the quality of an item, the Market Managers reserve the right to inspect and have the item(s) pulled from the market.
- 10. SAMPLING** Cut samples are only allowed as per ODAFF and Ottawa County Health Department regulations and guidelines. Each vendor is responsible for educating themselves on compliance with sampling rules.
- 11. EXCHANGES/ REFUNDS** Exchange of produce and/or refunds is up to the vendor. Vendors are strongly encouraged to offer 100% satisfaction to their customers.
- 12. LEAVING THE MARKET DURING MARKET HOURS** If a vendor sells ALL of their products prior to the market's closing, they may leave the market only if their vehicle does not block the flow of market customer parking. Vendors who leave the market early will first receive a warning from the Market Manager. Further non-compliance may result in loss of market membership without refund.
- 13. TRASH** Each vendor is responsible for maintaining his/her area in a clean, neat manner throughout the day and for cleaning his/her area before departing at the end of the market day. We will have trash receptacles/recycle bins available at the market.
- 14. FLYERS AND SIGNS** Only flyers and signs related to farming, gardening, food, health, or other similar educational topics can be distributed and displayed at the market. The Quapaw Farmers Market is not a forum handing out political information. All flyers must receive approval from the Market Manager on a case-by-case basis.
- 15. TOBACCO, DRUGS, AND ALCOHOL** The market is a tobacco free environment. Smoking/vaping is only allowed outside the market in designated areas. No drug use is allowed by vendors while on premises. Vendors displaying behavior indicating an alcohol or drug problem will be asked to leave the premises and/or lose market membership without refund.
- 16. SALES REPORTING** Vendors are required to report their daily sales following each market date. This information will remain anonymous and will NOT be used for tax purposes.

## **HOW TO BECOME A VENDOR**

- 1. FOR A SEASON-LONG COMMITMENT** Vendors must pay a one-time \$50 refundable deposit to secure a booth at the market. Deposit must be paid before set-up on June 3, 2022. Vendors must attend 80% of market dates to have deposit refunded. Refunds will be paid after clean-up on October 21, 2022.

- 2. SEASON-LONG COMMITMENT ABSENCE POLICY** If a vendor will not be at the market on a specific date, the vendor must notify Market Management. Notice must be given by the Wednesday prior to the market date.
- 3. ON A MARKET-BY-MARKET BASIS** Booth space may be rented on a market-by-market basis for a \$10 non-refundable fee (per market day). Applications must be submitted to the Market Manager by the Monday prior to market dates. Fee must be paid before set-up on the market day.
- 4. MARKET-BY-MARKET NO SHOW POLICY** If a vendor reserves a table on a market date but does not show up, they will first receive a warning from the Market Manger. A subsequent absence will result in loss of market privileges.

# Quapaw Farmers Market Vendor Application

Vendor Contact Name \_\_\_\_\_

Farm/Business Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Cell Phone \_\_\_\_\_ Business/Home Phone \_\_\_\_\_

Email \_\_\_\_\_ Website \_\_\_\_\_

**Is this a Native-owned business?**

- Yes
- No

**Is this a Veteran-owned business?**

- Yes
- No

**Preferred method of communication**

- Phone
- Text message
- E-mail

**List all produce/products you plan to sell for the season**

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**Product Sales Outlet Options-** Select one.

- Farmers Market- (Full Season)
- Farmers Market- (Market by Market)

**Fee Options-** Select one.

- \$50.00 refundable deposit for farmers market season attendance (see terms above)
- \$10.00 fee for single farmers market attendance

**Booth Space-** A maximum of two (2) 8-foot tables will be provided for each vendor based on availability and discretion of the Market Manager. Select all that apply.

- I will require one (1) 8-foot table
- I will require two (2) 8-foot tables
- I will require electricity
- My products will require refrigeration
- My products will require freezing

**Permits and Licenses-** Must include a copy of all relevant permits/licenses with the application.

- Sales Tax Permit
- Food Processor License
- Egg Packers License
- Meat/Mobile Unit License
- Organic Certification
- Other applicable license or certification \_\_\_\_\_

**Questions-** If you have any questions, please contact the Market Manger, Alexis Dixon, via e-mail at [farmersmarket@quapawnation.com](mailto:farmersmarket@quapawnation.com) or phone at 918-238-3168.

**I have read and agree with all the above terms, conditions and guidelines. A signed copy of this agreement must be on file with the Quapaw Farmers Market prior to participation.**

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_